IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc.No.50601-M of 2006

DATE OF DECISION: OCTOBER 17, 2006

Iqbal Singh and another

...PETITIONERS

VERSUS

State of Punjab

...RESPONDENT

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr. Harkesh Manuja, Advocate,
for the petitioners.
Mr.N.S.Gill, AAG, Punjab.

...

The petitioners apprehending their arrest in a non-bailable offence in case FIR No.77 dated 25.7.2006 registered under Sections 452/323/325/148/149 IPC at Police Station Sadar, District Bathinda, have filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail.

I have heard the counsel for the parties and gone through the contents of the FIR.

This order be read in continuation of the earlier order dated August 25, 2006 passed by this Court.

Counsel for the petitioners contends that the only non-bailable offence is under Section 452 IPC and the said offence has also not been made out from the FIR. Counsel further contends that in terms of the aforesaid interim order, the petitioners have joined the investigation. Counsel for the respondent-State does not dispute this fact and further on instructions from HC Gurpal Singh states that the petitioners are no more required for further investigation.

In view of the above and for the reasons stated in the interim order dated August 25, 2006, the same is made absolute on the same terms and conditions.

This bail order shall remain in operation till the investigation

culminates into filing of challan under Section 173 Cr.P.C. except for material change in the circumstances. Thereafter, the petitioners shall be entitled to the grant of regular bail by the trial Court and the same shall further continue till conclusion of the trial on the conditions to be imposed by the court of competent jurisdiction.

Disposed of accordingly.

October 17, 2006 (SATISH KUMAR MITTAL)
vkg JUDGE